

## **Annex 5**

## Background Documents

1. Amended Proof of Claim Filed by the Joint Liquidators of Three Arrows Capital Ltd. and exhibits thereto, including the Loan and Security Agreement, dated October 22, 2021 (Exhibit C) and the FTX Line of Credit Agreement and FTX Institutional Customer Margin and Line of Credit Agreement, dated March 30, 2022 (Exhibit D).
2. October 19, 2023 Trial Transcript, *United States v. Bankman-Fried*, No. 22 CR 673 (LAW) (S.D.N.Y. 2023), at 1914–1:25; 1915–1:25; 1916–1.
3. Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044.
4. FTX.US User Agreement, Sept. 16, 2022, Exhibit 1 to the Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044-1.
5. FTX Terms of Service, May 13, 2022, Exhibit 2 to the Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044-2.
6. FTX Exchange: Terms of Service, 2019, Exhibit 3 to the Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044-3.
7. FTX Exchange: Terms of Service, 2020, Exhibit 4 to the Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044-4.
8. Printout of “Help” Section of the FTX.com Website, Exhibit 5 to the Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates, *In re FTX Trading Ltd.*, No. 22-11068 (Bankr. D. Del. Sept. 30, 2024), ECF Nos. 26044-5.

## Authorities

### Cases

1. Attorney General of Belize v Belize Telecom [2009] UKPC 10, [2009] 1 WLR 1988
2. Re Sigma Finance [2009] UKSC 2, [2010] 1 All ER 571

*Treatises*

1. *Lewin on Trusts* (20th ed, Mar. 2020), Chapter 2